

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F031026      People v. Sergent**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F033173      In re Dylan R., a Minor**

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Vartabedian, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028684      People v. Rains**  
**F031054      People v. Rains**

Filed modification of opinion (no change in judgment). Cornell, Pro Tem J.

We concur: Thaxter, Acting P.J.; Harris, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F031037      Harvey v. Hoopingarner**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F031301      People v. Ayon**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F030522      People v. Rodriguez**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F033662      In re Phelicia P. et al., Minors**

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031952      People v. Barrientos**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F030589      Rodriguez v. Duarte, et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F028574      People v. Maxwell**

Appellant's petition for rehearing filed herein is denied.

**F028891      In re the Marriage of Gregory and Kirsten Smith**

**F029611      In re the Marriage of Gregory and Kirsten Smith**

Respondent's petition for rehearing filed herein is denied.

**F031453      County of Tulare v. Orr**

The judgment is affirmed. Harris, J.

We concur: Thaxter, Acting P.J.; Cornell, Pro Tem J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F028523**      **People v. Brown**  
**F031429**      **In re Ian Charles Brown On Habeas Corpus**  
                The judgment is affirmed. The writ of habeas corpus is denied.  
                Ardaiz, P.J.  
  
                We concur: Thaxter, J.; Wiseman, J.  
                [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F032395**      **I re Marisa C., a Minor**  
                The judgment is affirmed. Vartabedian, Acting P.J.  
                We concur: Wiseman, J.; Levy, J.  
                [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029077**      **People v. Eslinger, et al.**  
                Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F027186**      **People v. Bowen**  
                The judgment is affirmed. Vartabedian, J.  
                We concur: Dibiaso, Acting P.J.; Wiseman, J.  
                [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029404**      **In re Shannon G., a Minor**  
                Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F028686**      **In re Marriage of Gregory Smith and Kristen E. Smith**  
                Smith v. Smith  
                Appellant's petition for rehearing filed herein is denied.

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**F027474**      **People v. Morelos**

Appellant's petition for rehearing filed herein is denied.

**F029525**      **People v. Lopez**

The judgment is affirmed. Harris, J.

We concur: Thaxter, Acting P.J.; Cornell, Pro Tem J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]